

In re Patent Application of:
PAU ET AL.
Serial No. 09/712,509
Filing Date: November 14, 2000

REMARKS

Applicants would like to thank the Examiner for the thorough examination of the present application, and for renumbering Claims 11-37 as Claims 10-36.

The Examiner noted in paragraph 2 of the Official Action that the Applicants cannot rely on the foreign priority to overcome the rejection because a translation thereof has not been made of record yet. Enclosed herewith is a translated copy of the foreign priority application. Nonetheless, the Applicants submit that the claimed invention is still patentable, as based upon the arguments presented in detail below.

I. The Claims Are Patentable

Independent Claims 10, 17, 23 and 31 have been rejected over the Kadono patent in view of the Adolph et al. patent. The present invention, as recited in independent Claim 10, for example, is directed to method of producing an output bitstream of coded digital video data having a desired bit-rate different from a bit-rate of an input bitstream of coded digital video data.

The method comprises dividing the input bitstream into a sequence of coded data and into a sequence of control bits, and modifying the sequence of control bits as a function of the desired bit-rate of the output bitstream for producing an output sequence of control bits. The method further comprises decoding the sequence of coded data for producing an intermediate sequence of data, and quantizing with a pre-established step and coding the intermediate sequence of data for producing an output sequence of coded data. The output

In re Patent Application of:
PAU ET AL.
Serial No. 09/712,509
Filing Date: November 14, 2000

sequence of control bits and the output sequence of coded data are merged for producing the output bitstream of coded digital video data having the desired bit-rate.

Referring now to Kadono, the Examiner cited Kadono as disclosing a method of producing an output bitstream of coded digital video data having a desired bit-rate different from a bit-rate of an input bitstream of coded digital video data as in the claimed invention. As correctly noted by the Examiner, Kadono fails to disclose the output sequence of control bits and the output sequence of coded data being merged for producing an output bitstream of coded digital video data having a desired bit-rate. The Examiner cited the Adolph et al. patent to supply this noted deficiency of the Kadono patent.

The Applicants respectfully submit that even if the references were selectively combined as suggested by the Examiner, the claimed invention is still not produced. First, Kadono fails to disclose dividing the input bitstream into a sequence of coded data and into a sequence of control bits. Reference is directed to FIG. 1 and to column 18, lines 47-57 of Kadono, which provides:

"The transcoding system 10 according to this first embodiment comprises a decoding unit **Da1** and an encoding unit **Eg1** which has been obtained by subjecting image data to a coding process including a quantization process (first quantization process), and subjects the coded data Eg1 to a decoding process including an inverse quantization process, thereby generating decoded data Rg1. The encoding unit **Ea1** subjects the decoded data **Rg1** to a coding process (transcoding process) including a

In re Patent Application of:
PAU ET AL.
Serial No. 09/712,509
Filing Date: November 14, 2000

/

re-quantization process (second quantization process), thereby generating transcoded data Eg2." (Emphasis added.)

The Applicants thus submit that Kadono fails to disclose dividing the coded data **Eg1** (i.e., input bitstream) into a sequence of coded data and into a sequence of control bits. Instead, the coded data **Eg1** is decoded into decoded data **Rg1** for the encoding unit **Ea1**, and the coded data is also subjected to a quantization step **Qs1** for the encoding unit **Ea1** as also illustrated in FIG. 1 and as disclosed in column 18, line 58 to column 19, line 6 of Kadono.

The Applicants also submit that Kadono is directed to minimizing the quantization error included in the coded data, and not to producing an output bitstream of coded digital video data having a desired bit-rate different from a bit-rate of an input bitstream of coded digital video data as in the claimed invention. The Examiner references column 6, lines 40-50 of Kadono as disclosing this feature of the claimed invention, but this section is directed to minimizing the quantization error included in the coded data. No mention is made of providing an output bitstream of coded digital video data having a desired bit-rate different from a bit-rate of an input bitstream of coded digital video data.

Referring now to Adolph et al., a primary bitstream **PBS** is converted into a secondary bitstream **SBS** with a different data rate, as best illustrated in FIG. 1. The primary bitstream **PBS** is separated by a demultiplexer **DMX** into system data **SYD**, audio data **AUD** and video data **VID**. The system data **SYD** and the audio data **AUD** are each processed by a respective processor. However, Adolph et al. fails to modify

In re Patent Application of:
PAU ET AL.
Serial No. 09/712,509
Filing Date: November 14, 2000

the "control bits" (i.e., the system data **SYD**) as a function of the desired bit-rate of the secondary bitstream **SBS** as in the claimed invention. The Applicants thus submit that even if the references were selectively combined as suggested by the Examiner, the claimed invention is still not produced.

Accordingly, it is submitted that independent Claim 10 is patentable over Kadono in view of Adolph et al. Independent Claims 17, 23 and 31 are similar to independent Claim 10. Therefore, it is submitted that these claims are also patentable over Kadono in view of Adolph et al. In view of the patentability of the independent claims, it is submitted that their dependent claims, which recite yet further distinguishing features of the invention, are also patentable. These dependent claims require no further discussion herein.

In re Patent Application of:
PAU ET AL.
Serial No. 09/712,509
Filing Date: November 14, 2000

CONCLUSION

In view of the arguments provided herein, it is submitted that all the claims are patentable. Accordingly, a Notice of Allowance is requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,


MICHAEL W. TAYLOR
Reg. No. 43,182
Allen, Dyer, Doppelt, Milbrath
& Gilchrist, P.A.
255 S. Orange Avenue, Suite 1401
Post Office Box 3791
Orlando, Florida 32802
407-841-2330

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, on this 2ND day of January, 2004.


Barbara Goree